

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA)	Criminal Action No. 6:07-cr-00031-1
)	
v.)	<u>§ 2255 ORDER</u>
)	
KENNETH EUGENE SAMPLER)	By: Norman K. Moon
)	United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that Sampler is **DENIED** leave to amend; the United States' motion to dismiss (docket no. 326) is **GRANTED**; Sampler's motion (docket no. 315) to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**; and the action is **STRICKEN** from the active docket of the court.

Further finding that Sampler has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a Certificate of Appealability is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the Sampler and counsel of record for the United States.

ENTER: This 2nd day of June, 2011.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE